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POLICY ISSUES

STATE OF THE ENVIRONMENT

Progress report on the Global Environment Outlook process

Report of the Executive Director

Summary

The present report is submitted to inform the Governing Council of actions taken by UNEP to implement decision 19/3, which, inter alia, approved the continuation of the Global Environment Outlook process and requested the Executive Director to submit the next report in the Global Environment Outlook series (GEO-2) for the consideration of the Governing Council at its twentieth regular session. In response to this decision, the GEO process has been continued and strengthened and a tight production schedule has been followed since the nineteenth session of the Governing Council to prepare GEO-2.

In line with decisions taken by the Council on 7 February and 4 April 1997, GEO-2 was targeted for publication in May 1999, the originally scheduled date of the twentieth session of the Council. Owing to the length and complexity of the process of production of a comprehensive and authoritative global report of this nature, it was not possible to reschedule the production of GEO-2 to accommodate the subsequent alteration in the date of the session to February 1999. A summary of progress made towards the publication of GEO-2 in May 1999 is presented below.

* UNEP/GC.20/1.

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Suggested action by the Governing Council

The Governing Council may wish to:

Note with appreciation the broad participatory approach undertaken to prepare the second issue of Global Environment Outlook report;

Urge Governments and the Executive Director to take into account the findings and recommendations of the second Global Environment Outlook report in the development and implementation of their environmental assessment, management and policy actions and programmes;

Request the Executive Director to produce, in close collaboration with Governments, United Nations agencies and bodies, and collaborating and associated centres and experts, a third Global Environment Outlook report in the form of a "30 Years After Stockholm" report, to be launched in 2002, following the full participatory Global Environment Outlook approach;

Request the Executive Director to collaborate actively with the United Nations Development Programme, the World Bank, the World Resources Institute and other relevant institutions in the preparation of the next issue of the World Resources Report, to be launched in December 2000, which will focus on the condition of and trends in global ecosystems and promote the concept of a comprehensive science-based assessment of the world's ecosystems;

Request the Executive Director to produce simultaneously an expert report on policy responses to changes in the ecosystems dealt with in the World Resources Report 2000;

Urge major actors in data compilation and in global report production, such as the Food and Agriculture Organization of the United Nations, the United Nations Statistical Office, the United Nations regional commissions, the United Nations Development Programme, the World Bank, the World Resources Institute and the United Nations Environment Programme itself to collaborate in the production and use of a common data and knowledge base, comprising indicators, models, scenarios and expert systems, in order to avoid duplication, save cost and ensure that global reports are mutually supportive. Each agency would thus approach sustainable development from its particular perspective, while taking advantage of the information in the other reports to obtain a complete picture of sustainable development;

Request the Executive Director to direct the secretariat to play a catalytic role in bringing the various actors together, inter alia through its GEO working groups on data, modelling and scenario development.

A. Introduction

1. Work carried out by UNEP in response to Governing Council decision 19/3, entitled "Report on the Global Environment Outlook", involved the continuation of the Global Environment Outlook process, and in particular the preparation of the second Global Environment Outlook report - GEO-2.

B. The GEO process

2. UNEP has continued and strengthened the collaborative, region-based, global assessment process that forms the foundation for this series of reports. The network of Collaborating Centres currently consists of 22 institutes of excellence around the world. In comparison to GEO-1, the Collaborating Centres have been more actively involved in all stages of GEO-2 preparation to date, including planning, drafting and review of all the regional sections of the report and participation in the regional consultations. In addition, 11 Associated Centres have contributed to specific components of GEO-2, according to their areas of expertise. A list of Collaborating Centres and Associated Centres appears in annex I.

3. As for GEO-1, the United Nations system-wide Earthwatch mechanism has been used to solicit inputs from other United Nations agencies to GEO-2, either by providing substantive contributions to the report or by reviewing draft material. Considerable cooperation and guidance has been provided through this channel.

4. GEO Working Groups have continued to support the GEO process. The Steering Group for the GEO International Policy Working Group (PWG) held its first meeting in Tokyo from 9 to 11 March 1998. The meeting was jointly organized by UNEP and the Institute for Advanced Studies of the United Nations University with input from the Japanese National Institute for Environmental Studies and financial support from the Environment Agency of Japan. A modus operandi for the PWG was agreed and the GEO-2 draft, particularly the sections relevant to policy, reviewed. A proposed work plan for the PWG operation, starting with the inaugural meeting, is being prepared and funding is being sought.

5. A GEO Data Meeting was held at the Central European University in Hungary from 3 to 6 September 1998. Participants prepared a draft text on environmental data issues for GEO-2 and formulated recommendations for GEO-3 and the GEO process as a whole, as well as advising on data and graphics issues for the report. It is clear that solving some of the data problems will be a long-term process. GEO-2 will report on experience to date and will make some recommendations for the future.

6. The Global Scenario Group met in November 1998 and discussed, among other matters, the Group's possible future involvement in the development of an integrated data framework.

C. Preparations for GEO-2

7. Preparations for GEO-2 were initiated in February 1997, immediately after the nineteenth session of the Governing Council. The following steps have already been taken:

8. An inaugural meeting of the UNEP GEO Collaborating Centre Network was held in Groningen, the Netherlands, in March 1997, to begin planning for GEO-2 and to seek agreement on a preliminary work plan and timetable. The meeting was funded by the Dutch Government.

9. A consultation with government representatives on the framework for GEO-2, hosted by the United States Environmental Protection Agency, was held in New York on 14 April 1997, during the fifth session of the Commission on Sustainable Development.

10. A major planning meeting was held in Beijing in May 1997, hosted by China's National Environmental Protection Agency (now the State Environmental Protection Administration) and attended by representatives from all GEO Collaborating Centres and selected experts. The meeting discussed the implementation of the GEO-2 production process at the regional level and by Collaborating Centres, as well as the outline of the GEO-2 chapters, a work plan and time schedule for their preparation and long-term data and information activities. GEO-2 production guidelines were subsequently prepared to assist Collaborating Centres and others with report preparation.

11. The third major meeting for the production of GEO-2 took place at the Arabian Gulf University in Bahrain in November 1997. The meeting focused on the drafting of regional sections of the report, especially for chapter 2, "State of the environment".

12. The fourth GEO-2 production meeting was held in Brazil in early February 1998, hosted by the Instituto Brasileiro do Meio Ambiente e dos Recursos Naturais Renováveis (IBAMA). Agreement was reached on the finalization of the first GEO-2 draft, the preparation of the regional policy sections, and the strategy and background material to be produced for the regional policy consultations.

13. The reports of all four major GEO-2 production meetings have been published in the Meeting Report series issued by UNEP's Division of Environmental Information and Assessment, 1/ and can be made available to Governing Council participants on request.

14. A questionnaire devised by UNEP and the Scientific Committee on Problems of the Environment (SCOPE) was sent out in August 1997 through SCOPE and the network of Collaborating Centres to some 250 environmental experts around the world to find out what they perceive as the most critical emerging issues for the twenty-first century. The results were used to develop the Outlook chapter of GEO-2.

15. For GEO-2 a more in-depth assessment of multilateral environmental agreements was suggested. Convention secretariats were involved in the planning and development of this component. To help gather information UNEP developed a comprehensive questionnaire on the structures and working modalities of environmental conventions and their secretariats. This

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1/ Now renamed the Division of Environmental Information, Assessment and Early Warning.

questionnaire was sent to all global convention secretariats, and replies were received from most of them. Inputs have been incorporated as appropriate in GEO-2, and a more detailed technical report may be prepared.

16. The first draft of the GEO-2 report, containing the regional sections for each GEO-2 chapter, was finalized in March 1998. Copies of the draft were distributed in early April 1998 for review before and during the regional policy consultations (see below) by Earthwatch members, by individual regional and sectoral experts and by all programmatic units and regional offices of UNEP.

17. GEO-2 regional policy consultations were held in all regions in May 1998, as follows:

- Africa - 25-27 May, Nairobi, hosted by UNEP;

- Asia and the Pacific

  - South Asia

    19 and 20 May, Kathmandu, hosted by UNEP, the Ministry of Population and Environment of Nepal (MoPE), the South Asia Cooperative Environment Programme (SACEP) and the International Centre for Integrated Mountain Development (ICIMOD);

  - South-East Asia

    25 and 26 May, Bangkok, hosted by UNEP, the Environmental Research and Training Centre of Thailand (ERTC), the Department of Environmental Quality Promotion of Thailand (DEQP), the Ministry of Science, Technology and Environment (MoSTE) of Thailand and ASEAN;

  - Greater Mekong region

    27 May, Bangkok, hosted by UNEP, the Environmental Research and Training Centre of Thailand, the Department of Environmental Quality Promotion of Thailand (DEQP), the Ministry of Science, Technology and Environment (MoSTE) of Thailand and the Mekong River Commission;

  - North-West Pacific and East Asia

    28 May, Bangkok, hosted by UNEP;

- Europe (+ Arctic) - 4 and 5 May, Geneva, hosted by UNEP and the European Commission's Directorate-General for Environment, Nuclear Safety and Civil Protection;

- Latin America - 12-14 May, Santiago, Chile, hosted by UNEP, the Chilean Comisión Nacional del Medio Ambiente and UNDP;

- North America (+ Arctic) - 4 and 5 May, New York, hosted by UNEP;

- West Asia - 25-27 May, Damascus, hosted by UNEP, the Arab Centre for the Study of Arid Zones and Dry Lands and the Council of Arab Ministers Responsible for the Environment.

A 35-page booklet highlighting key issues and actions suggested in the first GEO-2 draft report was produced for the regional policy consultations to provide an introduction to the full document and to pinpoint topics for debate during the consultations.

18. The first GEO-2 draft has been revised on the basis of comments and inputs from the regional consultations and reviewers.

19. A European Union/UNEP project entitled "Global Environment Outlooks for the Lomé countries of the Caribbean, Indian Ocean and South Pacific" was initiated in December 1997. Three inception meetings were held for the project:

- Indian Ocean - 4 and 5 May 1998, Mauritius;

- South Pacific - 8 and 9 June 1998, Fiji;

- Caribbean - 22-26 June 1998, Jamaica.

Draft reports are under preparation and will pass through a consultative review process, in line with the overall GEO assessment process, before publication. Subregional consultations are being held in November 1998 for the South Pacific, and in January 1999 for the Indian Ocean and the Caribbean. Owing to delays which have occurred in this project, only a limited amount of material from the project will be incorporated in GEO-2.

20. Draft GEO-2 material is currently being edited and prepared for printing following the annotated outline presented in annex II. The report will go to the printer in April 1999. The launch of GEO-2 is scheduled for the end of May or early June 1999.

D. Other outputs

21. The GEO report series is providing the substance and basis for a number of additional UNEP outputs.

22. A 24-page booklet, "Where we stand: a state-of-the-environment overview for the Global Environment Facility", was prepared for the GEF Assembly held in New Delhi in April 1998. The booklet was based largely on GEO-1 and included a summary of the environmental situation, worldwide and in different regions, for the four GEF focal areas - climate change, the ozone layer, international waters and biodiversity - and for land and desertification as they relate to these focal areas.

23. UNEP and an international youth organization, Rescue Mission: Planet Earth, in association with UNICEF and UNESCO, are collaborating on a youth version of GEO. The "Endangered Planet" project is funded by the Turner Foundation and UNEP. Inputs are being produced by children from around the world, using GEO-1 and parts of GEO-2 as a basis. The end result will be a colourful, dynamic book full of poems, paintings, cartoons and case studies which will make the GEO report accessible to young people, reflect the regional and global environmental priorities of the young and report on the actions that young people consider of foremost importance to youth in the move to a more sustainable society. The book is scheduled to be launched in October 1999 at the Millennium Youth Conference in Hawaii. A CD-ROM game is also planned.

24. Several GEO technical background reports have been produced since the launch of GEO-1, as well as information notes on such topics as biodiversity-rich ecoregions that need protection, the use of spatial data sets for environmental assessment, approaches to an Earth audit and forest fires.

Annex I

(a) GEO-2 Collaborating Centres

Arab Centre for the Study of Arid Zones and Dry Lands (ACSAD), Syrian Arab Republic
Arabian Gulf University, Bahrain
Asian Institute of Technology, Thailand
Bangladesh Centre for Advanced Studies, Bangladesh
Central European University, Hungary
Centre for Environment and Development for the Arab Region and Europe, Egypt
European Environment Agency, Denmark
Instituto Brasileiro do Meio Ambiente e dos Recursos Naturais Renováveis, Brazil
International Institute for Sustainable Development, Canada
Moscow State University, Russia
National Institute for Environmental Studies, Japan
National Institute of Public Health and Environmental Protection, Netherlands
Network for Environment and Sustainable Development in Africa, Côte d'Ivoire
Regional Environmental Centre for Central and Eastern Europe, Hungary
Southern African Research and Documentation Centre, Zimbabwe
State Environmental Protection Administration, China
Stockholm Environment Institute, Sweden and United States of America
Tata Energy Research Institute, India
Thailand Environment Institute, Thailand
University of Chile, Sustainable Development Programme, Chile
University of Costa Rica, Development Observatory, Costa Rica
World Resources Institute, United States of America

(b) GEO-2 Associated Centres

Asociación Latinoamericana de Derecho Ambiental, Mexico
African Centre for Technology Studies, Kenya
Centro Internacional de Agricultura Tropical, Colombia
Commission for Environmental Cooperation of the North American Agreement on Environmental Cooperation, Canada
Earth Council
National Environment Management Authority, Uganda
Regional Environment Programme-Indian Ocean Commission, Mauritius
Scientific Committee on Problems of the Environment, France
South Pacific Regional Environment Programme, Samoa
University of the West Indies, Jamaica
World Conservation Monitoring Centre, United Kingdom

Annex II

Tentative annotated contents for GEO-2 as of 16 November 1998

PRELIMINARY MATTER . . . . . 35 pages

GEO (sub-) regional divisions

will show the various subregions used in GEO-2 maps and country lists

GEO process

will briefly describe the GEO-2 production meetings held with the GEO-2 collaborating centres and review process including the regional consultations held with governments; will document the efforts undertaken to improve the use of regional data and the problems encountered due to the limited availability of internationally comparable data sets and illustrative material

Synthesis and recommendations . . . . . 14 pages

will summarize GEO-2, compare GEO-1 and GEO-2, highlight key issues requiring attention and give recommendations for policy action

CHAPTER 1 THE OVERALL PERSPECTIVE . . . . . 15 pages

"Non-environmental drivers"

will describe the activities in societies that drive the state of the environment in a usually negative direction, covering issues like population, economics, development, poverty, trade, tourism, industry, agriculture, etc.

CHAPTER 2 STATE OF THE ENVIRONMENT . . . . . 160 pages

will describe the state of the environment based on recent global assessments made by international institutions, and on the regional assessments mainly prepared by the GEO-2 collaborating centres based on more region-specific knowledge. First a number of global issues are described, like ozone, climate change, El Niño, nitrogen loading, natural disasters, forest fires, chemicals and health, then moving into a regional synthesis of the environmental issues specifically covered in each regional section, dealing with land and food, forests, biodiversity, freshwater, marine and coastal areas, air and urban areas. This introductory section will be followed by specific regional sections as listed below. The main observation to be made in the SOE chapter is that despite international and national efforts to counter the negative trends in the state of the environment, it is still being degraded at an uncontrolled pace, though different environmental sectors are often being affected differently in various regions.

Global SOE plus synthesis of regional sections

Africa
socio-economic; land and food; forests; biodiversity; freshwater; marine and coastal areas; air; urban
Asia and the Pacific
Europe and Central Asia
Latin America and the Caribbean
North America
West Asia
Polar areas

CHAPTER 3 POLICY RESPONSES . . . . . 140 pages

will describe in general the broad range of policy instruments and responses that are available and applied; will describe difficulties in complying with and implementing policy instruments, resulting in often lower effectiveness than initially hoped for; will describe problems with actually assessing the effect of policy responses; will describe major global responses and synthesize the regional policy responses; will describe regional policy responses specifically per region; will describe the major barriers to implementation of policy instruments

Type of policy responses

Multilateral environmental agreements, non-binding agreements, institutions, laws/regulations (command and control), economic instruments, financial flows, cleaner production, information flow, participation

Implementation, compliance, and effectiveness of environmental instruments

Global policy responses plus synthesis of regional sections

Africa
historic context; global; regional; national
Asia and the Pacific
Europe and Central Asia
Latin America and the Caribbean
North America
West Asia
Polar areas

Conclusions (barriers to implementation)

CHAPTER 4 ENVIRONMENTAL OUTLOOK . . . . . 50 pages

will describe the results of a SCOPE survey implemented specifically for GEO-2 to identify issues that require more action; will report on alternative policy studies that were

carried out specifically by the GEO-2 collaborating centres, often using a scenario approach; will conclude with a section on suggestions for alternative policy action

The importance of the future

Priorities/action requirements for the twenty-first century as identified in GEO-2

Priorities/action requirements for the twenty-first century as identified through a global survey of scientists (SCOPE study)

Looking at the future through a scenario perspective

Back to GEO-1

Forward from GEO-1

From talking to acting

APPENDICES . . . . . 16 pages

TOTAL NUMBER OF PAGES . . . . . 416 pages

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POLICY ISSUES

STATE OF THE ENVIRONMENT

The environmental situation in the occupied Palestinian and other Arab territories

Report of the Executive Director

Summary

The present report reviews the implementation of Governing Council decisions 17/31 of 21 May 1993, 18/11 of 26 May 1995 and 19/8 of 7 February 1997, by which the Executive Director was requested, inter alia, to update the report on the environmental situation in the occupied Palestinian and other Arab territories and to provide technical assistance in Palestinian institutional and self-capacity-building in the field of the environment.

Suggested action by the Governing Council

The Governing Council may wish to:

(a) Welcome the activities which the United Nations Environment Programme is undertaking in association with the Office of the United Nations Special Coordinator in the Occupied Territories;

(b) Request the Executive Director to continue participating in the activities of the multilateral working groups of the Middle East peace process as well as the activities of the United Nations Special Coordinator in the Occupied Territories in order to ensure that environmental concerns are given due priority.

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* UNEP/GC.20/1.

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A. Activities undertaken by the United Nations Environment Programme (UNEP) within the framework of the Middle East multilateral peace process

1. UNEP continues to participate in the activities of the Multilateral Working Group on Water Resources and the Multilateral Working Group on the Environment of the Middle East peace process.

2. Since the last meeting of the Governing Council, the working groups have not met. Pending the resumption of their meetings, UNEP has prepared a proposal for a training course on integrated environmental and economic assessment of water resources in the Middle East under the auspices of the Regional Training Programme organized by the Multilateral Working Group on Water Resources.

B. Activities associated with the Office of the United Nations Special Coordinator in the Occupied Territories (UNSCO)

3. UNEP participated in the fourth inter-agency meeting organized by UNSCO in Gaza on 2 and 3 July 1997 to coordinate United Nations assistance to the Palestinian people. UNEP is involved in the health and infrastructure working groups of these meetings and also gives general advice on environmental aspects of sustainable development.

4. Through the joint UNEP/UNCHS Sustainable Cities Programme, a Preparatory Assistance Project for Environmental Planning and Management Support to Gaza Municipality was developed and submitted to UNDP for co-funding. The objectives are to prepare an environmental profile of Gaza City focused on priority areas, draft a long-term programme document, and prepare and support start-up activities.

C. Update of the report on the state of the environment

5. In addition to specific environmental assessment activities already reported on, undertaken under the auspices of bilateral projects, including the Gaza Environmental Profile completed by the Palestinian Authority with financial assistance from the Government of the Netherlands, and a report on regional environmental cooperation and development options published by the Government of Israel, the Applied Research Institute in Jerusalem published a report in 1997 on the state of the environment in the West Bank.

6. In order to avoid duplication and reduce costs, UNEP has prepared an updated report on the environmental situation in the occupied Palestinian and other Arab territories, drawing relevant information from the above-mentioned environmental assessment reports (UNEP/GC.20/INF/12).

D. Provision of technical assistance and self-capacity-building

7. UNEP has provided the Palestinian Environmental Authority with technical assistance for capacity-building consisting of advisory services on

environmental issues and environmental policy matters, as well as provision of scholarships to enable Palestinian experts to attend training courses, technical meetings and workshops in various environmental areas.

8. Mr. Salem El-Kourd, Director of International Cooperation in the Ministry of Planning and International Cooperation of the Palestinian Authority, participated in a training programme in environmental law and institutions organized by UNEP in Nairobi from 22 September to 9 October 1997.

9. At the invitation of UNEP and UNCHS, Mr. Awn Shawa, Mayor of Gaza Municipality, and Mr. Ayed Abu Ramadan, his assistant, participated in the second annual meeting of the Sustainable Cities Programme, held in Shenyang, China, from 30 September to 4 October 1997, as well as in the Urban Environment Forum organized in Shanghai, China, from 6 to 8 October 1997.

10. Representatives from the Palestinian Authority participated in various meetings and workshops organized by UNEP's Regional Office for West Asia, including an Expert Group Meeting on Non-conventional Water Resources and Appropriate Technologies for the Management of Underground Water (Bahrain, October 1997), and two workshops on urban waste management and medical waste management, (Bahrain, November-December 1997).

11. Within the context of United Nations-wide inter-agency efforts to support the Palestinian Authority, the UNEP secretariat intends to send a mission during the first half of 1999 to assist the Palestinian Authority in the assessment of needs in the field of the environment.

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POLICY ISSUES

EMERGING POLICY ISSUES

Programme for the Development and Periodic Review of Environmental Law beyond the year 2000

Report of the Executive Director

Summary

This report describes progress made in the implementation of the Programme for the Development and Periodic Review of Environmental Law for the 1990s (Montevideo Programme II), one of the core elements of the focused mandate of the revitalized United Nations Environment Programme (UNEP) as contained in the Nairobi Declaration on the Role and Mandate of UNEP. It also proposes a process for the preparation of a new strategic UNEP programme concerning environmental law for the first decade of the next millennium.

Suggested action by the Governing Council

The Governing Council may wish to:

Take note with appreciation of the progress made in the further implementation of the Programme for the Development and Periodic Review of Environmental Law for the 1990s;

Request the Executive Director to undertake a process of preparation of a new Programme for the Development and Periodic Review of Environmental Law, in consultation with Governments and relevant organizations, and, as part of that process, to convene a meeting of senior government officials expert in environmental law in the year 2000;

* UNEP/GC.20/1.

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Authorize the Executive Director to continue to draw on the current Programme for the Development and Periodic Review of Environmental Law as strategic guidance for the work of UNEP in the field of environmental law until a new Programme is adopted by the Council, and in that connection, also authorize him to assist Governments and organizations, upon request, in developing international environmental agreements;

Further request the Executive Director to report on the outcome of the implementation of the present decision to the Council at its twenty-first session.

I. INTRODUCTION

1. Since the establishment of UNEP, environmental law has been one of its priority areas, recognized as an effective tool to catalyse national and international action in the field of the environment. The role and competence of UNEP in the progressive development and promotion of environmental law has been repeatedly emphasized in various international forums, including the General Assembly, the Governing Council and the Commission on Sustainable Development.

2. Agenda 21, in chapter 38, identified environmental law as one of the priority areas on which UNEP should concentrate. In particular, it underscored the role of UNEP in the further development and implementation of international environmental law, and the provision of technical, legal and institutional advice to Governments in establishing and enhancing their national legal and institutional frameworks. The role was further emphasized in the Nairobi Declaration, as well as in the Programme for the Further Implementation of Agenda 21 adopted by the General Assembly at its nineteenth special session. 1/ Coherent interlinkages among relevant environmental conventions have been underscored as part of the role of UNEP in the further development of international environmental law.

II. IMPLEMENTATION OF THE MONTEVIDEO PROGRAMME II

3. Following the successful implementation of the Montevideo Programme for the Development and Periodic Review of Environmental Law, 2/ the Montevideo Programme II 3/ has guided UNEP as the broad strategy for its activities in the field of environmental law.

4. In December 1996, a meeting of senior government officials expert in environmental law was convened by UNEP to conduct the mid-term review of the Montevideo Programme II, 4/ and its outcome was reported to the Governing Council at its nineteenth session. 5/ On the basis of the mid-term review, the Governing Council, in decision 19/20, commended UNEP for the action it had taken to implement the Montevideo Programme II over the period 1993-1996 and reaffirmed that the environmental law programme should remain among the major programme areas on which UNEP should concentrate its 1998-1999 programme of work.

1/ Resolution S-19/2 of 28 June 1997.

2/ Adopted by the Governing Council in decision 10/21 of 31 May 1982.

3/ The programme was adopted by the Governing Council in decision 17/25 of 21 May 1993, to which it is annexed.

4/ The report of the meeting is to be found in document UNEP/Env.Law/3/3.

5/ UNEP/GC.19/32.

5. Since the nineteenth session of the Governing Council, further progress and achievements have been made in the implementation of the Montevideo Programme II. They are summarized below. 6/

Further development and promotion of international legal instruments in the field of the environment

6. UNEP has initiated a study on means and mechanisms for environmental dispute avoidance and settlement, involving a group of internationally recognized legal experts from different regions. 7/ UNEP convened the first and second meetings of the international group of experts in Vienna and London in July and September 1998, respectively. As a result, significant progress was made in the preparation of this study. 8/ The third and final meeting is scheduled to be held in New Delhi in January 1999.

7. In the field of chemicals, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade was adopted on 10 September 1998 at a diplomatic conference convened by UNEP and FAO. The negotiation of an international legally binding instrument for implementing international action on certain persistent organic pollutants commenced at the first session of the Intergovernmental Negotiating Committee for the instrument, convened by UNEP in Montreal from 29 June to 3 July 1998.

8. In its capacity as the interim secretariat for the Lusaka Agreement on Co-operative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora, UNEP has continued to assist the Parties to the Agreement in making arrangements for its implementation. 9/

9. Thanks to UNEP assistance to Governments in the Caspian Sea region, a draft framework convention on the Caspian Sea environment is being developed. In February 1998, an intergovernmental meeting was held in Moscow to consider the draft text of the convention. The revised draft convention will be further considered by the next intergovernmental meeting, scheduled for February 1999.

10. UNEP has continued to collaborate with the Economic Commission for Europe and the Regional Office for Europe of the World Health Organization (WHO) by providing legal expertise in the development of a protocol on water and health to the 1992 Convention on the Protection and Use of Transboundary

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6/ The summary covers activities between February 1997 and October 1998.

7/ The study is being carried out in cooperation with the University of Vienna in Austria, Jawaharlal Nehru University in India, the University of British Columbia in Canada and Moi University in Kenya.

8/ The study will be made available to the Council at its twentieth session.

9/ As requested by the Governing Council of the Lusaka Agreement at its first meeting, held in Nairobi in March 1997.

Watercourses and International Lakes. The draft protocol is expected to be submitted, for adoption and signing, to a Ministerial Conference on Environment and Health to be held in London in June 1999.

11. UNEP, through its programmatic and coordinating activities, has continued to contribute to the implementation of the United Nations Convention on the Law of the sea, and in particular Part XII, "Protection and preservation of the marine environment". UNEP has also continued to assist Governments to develop new regional seas agreements and institutional arrangements, as in the preparation of the Protocol to the Kuwait Regional Convention on the Control of Marine Transboundary Movements and Disposal of Hazardous Wastes and Other Wastes (adopted in March 1998), development of a draft regional convention and action plan for the protection of the marine environment of the East-Central Pacific, and development of instruments under the North-West Pacific Action Plan. It is also assisting the Governments of parties to the 1985 Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (Nairobi Convention) in updating it, taking into account recent developments, especially after the United Nations Conference on Environment and Development.

12. In the context of the preparation of the second report in the Global Environment Outlook series, UNEP is developing a methodology to assess the impact of international environmental conventions on the environment, as a means of assisting Governments in assessing the adequacy and effectiveness of such instruments.

Provision of assistance for strengthening national environmental legislation and institutions, and provision of environmental law training, education and information

13. UNEP provides assistance to Governments of developing countries and countries with economies in transition, upon request, for the strengthening of national environmental legislation and related institutions, including legal regimes for effective implementation of international environmental agreements.

14. In Africa, UNEP assisted 11 countries in the formulation of national environmental legislation and the establishment or support of appropriate institutions (Burkina Faso, Cameroon, Ghana, Kenya, Lesotho, Malawi, Mauritania, Mozambique, Niger, Sao Tome and Principe and United Republic of Tanzania). 10/ UNEP also provided such assistance to 9 countries in Asia and the Pacific (Bangladesh, Cambodia, India, Maldives, Myanmar, Nepal, Samoa, Sri Lanka and Viet Nam), 2 countries in West Asia (Lebanon and Oman), one country in Latin America and the Caribbean (Peru) and one country whose economy is in transition (Uzbekistan).

15. With regard to environmental law training, UNEP convened the Third Global Training Programme in Environmental Law and Policy in Nairobi from 22 September to 9 October 1997, as a result of which approximately 30 government

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10/ This includes the assistance provided under the UNEP/UNDP Joint Project on Environmental Law and Institutions in Africa.

lawyers and policy-makers from developing countries and countries with economies in transition enhanced their knowledge and skills in environmental law.

16. In cooperation with relevant organizations, UNEP convened a number of regional environmental law training workshops, symposia and courses, targeted at government officials associated with environmental policy-making and management, the judiciary and other relevant parties, for countries in Africa 11/ and Asia and the Pacific. These training activities were designed to contribute to the implementation of the Montevideo Programme II and covered such subjects as: environmental law and sustainable development; implementation of major international environmental conventions; the role of the judiciary in promoting the rule of law in the area of sustainable development; environmental education for university lecturers; methodologies for the development of environmental standards; incorporation of biodiversity-related conventions into national laws; environmental litigation; building partnership with industry; and environmental compliance and enforcement. UNEP has also developed a general plan for environmental law training for application in Latin America and the Caribbean.

17. Significant progress has been made towards the planned establishment of the UNEP/IUCN Joint Environmental Law Information Service 12/ in 1999. The Service aims to provide developing countries and countries with economies in transition with global Internet access to information on international treaties, national legislation, soft law, literature and judicial decisions in the field of the environment. This will be complemented by related work being undertaken by the UNEP regional offices for Asia and the Pacific and Latin America and the Caribbean.

18. UNEP has added a number of items to its list of environmental law publications prepared on the basis of its activities at the regional and global levels, and distributed them to Governments and organizations concerned, with a view to promoting wider appreciation of environmental law, in particular among those who might influence decision-making in the field of environment and development.

Problems encountered

19. It should be noted that, although there has been progress in the implementation of the Montevideo Programme II, this was possible only because of counterpart funding by donor Governments in support of activities in the development of new international legally binding instruments and the provision of legal advisory services for developing national environmental legislation and institutions.

11/ Including those convened under the UNEP/UNDP Joint Project on Environmental Law and Institutions in Africa,

12/ Funded by the Government of the Netherlands.

III. THE MONTEVIDEO PROGRAMME BEYOND THE YEAR 2000

20. The first and second Montevideo Programmes have been the instruments through which UNEP has received long-term policy guidance from Governments concerning the development of environmental law in the agreed programme areas. Since activities in those programme areas are to be implemented as directed by Governments in the Programmes, UNEP has become accountable to Governments in carrying out activities in this field. Considering the achievements so far under the two Programmes, it is clearly desirable for Governments and UNEP to continue to be guided by such a consistent long-term programme for UNEP's activities in the field of environmental law.

21. With regard to the Montevideo Programme II, while its cross-sectoral programme areas A-H might, with some adjustments, continue to be relevant in the near future, the sectoral programme areas I-S need to be revised to reflect recent developments and to meet the emerging environmental challenges. There is also a need to incorporate into the Programme new policy directions, such as: the enhanced linkage of legal instruments with economic and other policy instruments; practical ways and means to develop coherent interlinkages among relevant environmental conventions; innovative mechanisms to enhance compliance with agreed environmental norms, standards and obligations and UNEP's role therein; and modalities to involve all relevant sectors of society in environmental decision-making and to enhance access to justice in environmental matters.

22. Given the above, there is a need for a major review of the Montevideo Programme II and the preparation of a new strategic environmental law programme for UNEP for the first decade of the next millennium.

Process for the preparation of a new programme (Montevideo Programme III)

23. The proposed process of preparation of a new programme is as follows:

(a) Preparation of a report on the implementation of the Montevideo Programme II - between the second half of 1999 and the first half of 2000;

(b) Study of the possible content of the new programme by an international expert group - between the second half of 1999 and the first half of 2000;

(c) A meeting of senior Government officials expert in environmental law to elaborate the draft programme - second half of 2000;

(d) Submission of the new programme to and its adoption by the Governing Council at its twenty-first session - 2001.

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POLICY ISSUES
COORDINATION AND COOPERATION WITHIN AND OUTSIDE THE UNITED NATIONS, INCLUDING NON-GOVERNMENTAL ORGANIZATIONS

Policy and advisory services the of United Nations Environment Programme in key areas of institution-building

Report of the Executive Director

Summary

This report briefly presents a set of activities of the secretariat of the United Nations Environment Programme (UNEP) in providing Governments and other relevant institutions with policy and advisory services, in particular technical, legal and policy advice, in key areas of institution-building. The provision of such services was identified in the Nairobi Declaration on the Role and Mandate of UNEP as one of the core elements of the focused mandate of the revitalized UNEP. Reference has been made to recent activities and possible future activities of the secretariat which highlight such services. By this document, the Executive Director seeks guidance from the Governing Council on possible directions for the future activities of the secretariat in the area of institution-building.

Suggested action by the Governing Council

The Council may wish to:

(a) Request the Executive Director to strengthen the secretariat to provide policy and advisory services, in particular technical, legal and policy advice, in key areas of institution-building to Governments and regional and subregional institutions dealing with environmental matters,

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with particular attention to the areas of concentration listed in paragraph 2 of Governing Council decision SS.V/2, 1/ in such a way as to improve access by the public to information on environmental matters and environmental policy instruments;

(b) Underscore that it is essential in institution-building aiming at sustainable development to enhance access to environmental information held by public authorities and participation by all relevant sectors of society, including the public, in the environmental decision-making process, in accordance with relevant legislation or arrangements, and urge Governments to take steps in that direction;

(c) Recognize the importance of establishing, and urge Governments to establish, at the national level, judicial and administrative procedures for legal redress and remedy for actions affecting the environment that may be unlawful or infringe on rights under the law, providing access to individuals, groups and organizations with a recognized legal interest, and providing affected individuals and groups with access to such judicial and administrative procedures;

(d) Request the Executive Director to strengthen cooperation with Governments, other relevant organizations and entities, including the secretariats of international environmental conventions, in activities related to policy and advisory services in key areas of institution-building in order to ensure that such services are provided to Governments and relevant institutions in a coherent and coordinated manner in order to avoid duplication of efforts and economize on scarce resources.

I. OVERVIEW

1. There is a need for institution-building, at both national and international levels, in order to further integrate environment and development so as to achieve sustainable development.

2. Currently, many developing countries and countries with economies in transition still do not have adequate institutional capabilities which enable them to formulate and effectively implement policies and instruments aiming at sustainable development. Hence the compelling need for them to develop such capabilities.

3. There is also a need to enhance international institutional arrangements in order to assist Governments in developing national

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1/ These are: (a) Environmental information, assessment and research, including environmental emergency response capacity and strengthening of the early warning and assessment functions of the United Nations Environment Programme; (b) enhanced coordination of environmental conventions and development of environmental policy instruments; (c) freshwater; (d) technology transfer and industry; and (e) support to Africa.

institutional capabilities, to provide them with ways and means to undertake collective action to address transboundary environmental issues, and to enable them to comply with their obligations under international environmental agreements.

4. UNEP, as the principal United Nations body in the field of the environment, must play an active role in catalysing and stimulating a process of such institution-building at all levels to ensure the effective delivery of services and application of resources.

5. Various UNEP activities contain elements of policy and advisory services contributing to institution-building in countries. Those activities include:

(a) Advisory services on scientific and technical matters to assess environmental problems, identify realistic responses and develop and enhance national policies dealing with those problems, and provision of scientific and technical information on the environment and environmental assessment and management;

(b) Legal advisory services to develop, facilitate and/or strengthen national environmental legislation and institutions;

(c) Provision of information concerning legal, economic and policy instruments and tools, including guidance materials, as well as provision of access to such information;

(d) Convening of forums for policy dialogue, such as consensus-building workshops and training seminars for officials and stakeholders, as well as the transfer of skills and knowledge on selected environmental issues to clarify policy options and facilitate information exchange in order to help Governments make informed decisions.

6. In addition to policy and advisory services for individual countries, UNEP facilitates institution-building at the regional and global levels through the organization of intergovernmental meetings, the promotion of intergovernmental policy dialogue, and its involvement in institutional arrangements related to binding and non-binding legal instruments, action plans and programmes decided on by the Governing Council or agreed by Governments. Such international institution-building is also facilitated through the creation of networks among Governments and other entities for the exchange of environmental information.

II. ACTIVITIES IN THE AREAS OF CONCENTRATION RELATED TO INSTITUTION-BUILDING

7. Recent or planned secretariat activities related to institution-building may be found in all areas in which UNEP is involved, and are in particular highlighted against the areas of concentration identified in Council decision SS.V/2.

Environmental information, assessment and research, including environmental emergency response capacity and early warning and assessment functions

8. UNEP has continued to collect, organize and disseminate environmental information and undertake environmental assessment through its programmatic activities and networks. On the basis of a review of those activities, UNEP will spearhead the development of an environmental assessment strategy for the coming decade to guide its assessment activities and those of the United Nations system.

9. The report on the state of the global environment, issued by UNEP as a Global Environment Outlook since 1997, provides an effective tool for environmental decision-making. The second edition will be issued in 1999. The process of preparation of the Global Environment Outlook requires a series of regional and global consultations among UNEP, Governments, relevant organizations and individual environmental experts and institutions, thereby stimulating assessment of environmental trends and policy responses at the national, regional and global levels. Advice will be provided on the formulation of national environmental reports on priority issues.

10. Overall, UNEP's services in providing environmental information and assessment provide an effective link between the scientific community and policy makers, thus providing a scientific basis for institution-building.

11. With regard to environmental emergencies, UNEP will continue to provide expertise and play a catalytic role in the international response to forest fires. Strengthening of UNEP's capacity to provide early warning information on environmental threats will be essential for it to play a catalytic role in preventing and mitigating damage caused by environmental disasters.

Enhanced coordination of environmental conventions and development of environmental policy instruments

12. Within the framework of efforts to implement Agenda 21, the development of coherent interlinkages among existing international environmental conventions was identified in the Nairobi Declaration as one of UNEP's priorities. While UNEP has been carrying out various activities relevant to such conventions, more joint thematic programming will be pursued, taking full account of decisions of the Governing Council and the Conferences of the Parties to the conventions. In particular, through institution-building at the national level, UNEP will contribute to enhancing coherent interlinkages among the conventions and UNEP's activities.

13. UNEP's substantive support for global and regional conventions is founded on its scientific and technical expertise translated into information, monitoring and assessment, which need to be strengthened substantively and urgently for this purpose. UNEP will build its capacity and its networks in order to ensure the scientific underpinning of conventions to respond to their requests for specialized analysis and technological assessments, and to facilitate their implementation.

14. UNEP has been providing advisory services to Governments in developing their national environmental policies, legislation and institutional arrangements which directly or indirectly contribute to enhancing the

implementation of environmental conventions. Such services have been provided to countries in Africa, Asia (including East, South-East, South and West Asia) and the Pacific, Eastern and Central Europe and Latin America and the Caribbean. The regional offices of UNEP play an important role in promoting awareness of the needs and priorities of countries and the regional delivery of UNEP's policy and advisory services.

15. At the international level, such services are provided through efforts to catalyse the development of regional and global legally binding instruments, guidelines and other non-binding instruments, and regional and global action programmes and plans. After the conclusion of such instruments, UNEP provides further assistance, upon request, to Governments and parties in the implementation of those instruments and the agreed international norms and policies they contain. It carries out training programmes at the national, regional and global levels to enhance the ability of officials and stakeholders to implement them. The involvement of a wider range of actors at all levels, including the public, is becoming a crucial factor.

16. With a view to furthering the integration of environmental considerations into development planning and decision-making processes, UNEP will continue to promote policy tools and instruments concerning environmental assessment as well as economic and other incentive measures. It will also continue to provide environmental policy options addressing national and international trade policies and the operation of financial institutions.

Freshwater

17. In the field of freshwater, UNEP's policy and advisory services contributing to institution-building include activities in environmental information and assessment, development of policy tools and instruments, promotion of greater awareness and facilitating effective cooperation among various sectors of society. Ongoing UNEP activities are directed to providing relevant information in a form that is readily understood and used by decision-makers, in order to enable them to identify emerging water-related environmental problems and to provide guidance on water-related technologies that exist in different regions of the world.

18. Integrated management of water and river basins and integrated water assessment are proposed for action during the biennium 2000-2001. Also proposed are activities to test the practical application of "fair share" water strategies in subregions, and developed methodologies for integrated water assessment strategies. Development of policy tools and mechanisms to prevent disputes in the management of freshwater resources is also planned.

Technology transfer and industry

19. In this area, UNEP has been providing advice on policy options and raising awareness on emerging issues. These include further promotion of cleaner production, provision of clearing-house functions on ozone-depleting substances, and preparation of policy guidance materials for developing countries concerning the phase-out of ozone-depleting substances, and concerning sustainable tourism. Relevant technical assistance and training

activities are also provided. UNEP will continue to promote environmental norms, principles and agreements among relevant industries.

20. In the field of chemicals, international institution-building will be stimulated by means of a focus on the earliest possible implementation, in developing countries and countries with economies in transition, of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, and support for the negotiation of an international legally binding instrument for international action to deal with certain persistent organic pollutants, further promotion of the Code of Ethics on the International Trade in Chemicals, and progressive implementation of the Montreal Protocol on Substances that Deplete the Ozone Layer.

Support to Africa

21. Africa is a region that is receiving increasing attention from the United Nations system, mainly in socio-economic and sustainable development programmes. UNEP will play its part with a focus on environmental management, including the areas in which UNEP has been active in Africa, such as: the development of legal instruments; organization of regional and subregional meetings on environmental matters; and provision of information, expert advice and technical assistance in the management of key sectoral environmental issues, such as freshwater, biological diversity, desertification and drought, and coastal zone management.

III. GAPS

22. In recent years, only limited funds have been available from the Environment Fund for the secretariat to provide policy and advisory services for institution-building. Such activities as were undertaken were funded by either counterpart contributions or trust funds in the context of capacity-building activities. Some of them were carried out through projects funded by the Global Environment Facility. In order to enable the secretariat to catalyse and stimulate institution-building in a strategic and systematic manner, an increased level of financial resources to the Environment Fund is desirable.

23. Coherent and cost-effective institution-building requires coordination at various levels and the involvement of all stakeholders. At the national level, it will be necessary to broaden the range of actors who share the tasks of environmental protection and management. This may require enhancement of participation by various actors in environmental decision-making, and for that purpose, improved access to environmental information may also be required. At the international level, there is a compelling need for enhancing coherence and efficiency in the activities carried out by various entities through the improved coordination of international action.

24. At the national level, there is a need for Governments and legislatures to establish or enhance judicial and administrative procedures for legal redress and remedy for actions affecting the environment that may be unlawful or infringe on rights under the law, and to provide access to individuals,

groups or organizations with a recognized legal interest. Access should be provided to effective judicial and administrative channels for affected individuals and groups to ensure that all authorities remain accountable for their actions in accordance with their obligations, taking into account the judicial and administrative systems of the country concerned.

25. While institutions need to be supplemented with skilled human resources for their operation, many developing countries and countries with economies in transition do not have adequate expert human resources or financial resources to train the human resources available. Institution-building and human resource development need to be pursued simultaneously and to be mutually reinforced.

IV. A WAY FORWARD

26. UNEP should be in a position to provide policy and advisory services, in selected areas of focus, to Governments and other relevant institutions for establishing national and international institutional arrangements to deal with the environmental challenges of the next century. The suggested action by the Governing Council represents a strategic direction for UNEP in providing such services. With limited resources available to it, UNEP needs to resort to innovative approaches that enable it to strengthen its basis for providing policy and advisory services in key areas of institution-building.

27. To effectively carry out this function, the UNEP regional offices should be strengthened to increase their sensitivity and responsiveness to the particular needs of each region and Government, including in their relationship with non-governmental organizations and other private-sector parties. It will also join forces with the secretariats of international environmental conventions in activities related to policy and advisory services in key areas of institution-building, in order to ensure that such services are provided to Governments and relevant institutions in a coherent and mutually supportive manner, avoiding duplication.

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POLICY ISSUES: COORDINATION AND COOPERATION WITHIN AND OUTSIDE THE UNITED NATIONS, INCLUDING NON-GOVERNMENTAL ORGANIZATIONS

Inter-Agency Environment Coordination Group and system-wide strategy in the field of the environment

Note by the Executive Director

Summary

The present report has been prepared in accordance with Governing Council decisions 19/9 A of 7 February 1997 on the Inter-Agency Environment Coordination Group (IAEG) and 19/9 B of 7 February on the United Nations system-wide strategy in the field of the environment for the period 1998-2002, and briefly outlines developments with regard to those coordination and cooperation mechanisms since the last session of the Council

The United Nations Task Force on Environment and Human Settlements and the subsequent report of the Secretary-General on environment and human settlements to the fifty-third session of the General Assembly (A/53/463), reviewed current coordination arrangements and, inter alia, recommended improved inter-agency policy coherence and collaboration through the establishment of an Environment Management Group (EMG). EMG would replace IAEG, and it is proposed that it would be entrusted with, inter alia, creating a dynamic process for the review of planned activities and modification of goals and activities in the environment and human settlements area in the light of new knowledge, as opposed to producing a static system-wide environment programme. In view of this recommendation, which falls within the purview of recommendations for action at the secretariat level as proposed by the Secretary-General, and pending the establishment of EMG and consensus on its mandate and terms of reference, the Group would supersede IAEG and the need for a system-wide strategy in the field of the environment.

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Suggested action by the Governing Council

The Governing Council may wish to:

1. Take note of the present report of the Executive Director on developments related to the Inter-Agency Environment Coordination Group and the system-wide strategy in the field of the environment;

2. Take note of the recommendations contained in the report of the Secretary-General on environment and human settlements to establish an Environment Management Group;

3. Request the Executive Director to report to the Governing Council at its twenty-first session on the progress made in the establishment and activities of the proposed Environment Management Group, including its terms of reference and initial areas of concentration.

I. INTER-AGENCY ENVIRONMENT COORDINATION GROUP

1. Pursuant to Governing Council decision 19/9 A, the present report outlines developments relating to the Inter-Agency Environment Coordination Group (IAEG). In that decision, the Governing Council requested the Executive Director to report to its twentieth session on progress made in the work of IAEG, including the further refinement and focusing of its role and functioning, while taking into account recommendations of the General Assembly at its special session for the purpose of an overall review and appraisal of the implementation of Agenda 21, held from 23 to 27 June 1997.

2. IAEG, which evolved from the Environment Coordinating Board (ECB) and its successor, the Designated Officials on Environmental Matters (DOEM), was conceived as a mechanism to provide UNEP with an effective and strong coordinating role within the United Nations system on environmental matters. Since its inception in 1995, IAEG held two formal meetings, one of which was to finalize its terms of reference.

3. The Secretary-General, pursuant to action 12, on environment, habitat and sustainable development, contained in his report entitled "Renewing the United Nations: a programme for reform" (A/51/950) which was submitted to the General Assembly at its fifty-second session, established a Task Force on Environment and Human Settlements to prepare proposals on reforming and strengthening United Nations activities in the fields of environment and human settlements, in order to assist him in making recommendations to the General Assembly at its fifty-third session, including recommendations on coordination. The Task Force, chaired by the Executive Director of UNEP, was requested to review existing structures and arrangements through which environmental activities are carried out within the United Nations system and, in this work, to focus on the distinctive functions of policy, development of norms and standards, programme development and implementation and financing, as well as relationships amongst these functions. The Task Force was asked to evaluate the efficacy of existing structures and arrangements and to make recommendations for changes and improvements to optimize the United Nations environment and human settlements work. The report of the Task Force was presented to the Secretary-General on 15 June

1998 and the Secretary-General, having considered the recommendations contained therein, subsequently issued his report on environment and human settlements (A/53/463) to the General Assembly under agenda item 30, on United Nations reform: measures and proposals.

4. The Task Force, in its review of existing United Nations structures and arrangements in the field of the environment and human settlements, revealed that current activities are characterized by substantial overlaps, unrecognized linkages and gaps. Thus, the Task Force concluded that there was need for "a problem solving, results-oriented approach that enables the United Nations bodies and their partners to share information about their respective plans and activities; to inform and consult one another about proposed new initiatives; to contribute to a planning framework that permits the plans and activities of each participant to be reviewed within the framework of the whole range of activities being carried out by all participants; and to consult with each other with a view to developing an agreed set of priorities and on the measures through which each participating organization can best contribute to those priorities and achieve a more rational and cost-effective use of their respective capacities and resources" (A/53/463, annex, paragraph 21).

5. Accordingly, the Task Force recommended that, in order to meet these needs with respect to inter-agency linkages in the field of environment and human settlements, the Secretary-General should establish an Environmental Management Group (EMG) and that EMG should replace the existing Inter-Agency Environment Coordination Group (IAEG), which should be abolished.

6. Under section III of his report, on recommendations for action at the secretariat level, the Secretary-General puts forward the above Task Force recommendation for improved inter-agency policy coherence and collaboration through the establishment of EMG. It is envisaged that EMG would adopt a problem-solving, results-oriented and issue-management approach for achieving effective coordination and should work as a highly flexible mechanism, only meeting when required to address specific issues of importance and to integrate the knowledge available in the United Nations system.

7. The recommendation of the Task Force, which the Secretary-General puts forward in his report, contained a number of proposals for the role and functioning of EMG. It was recommended that EMG be chaired by the Executive Director of UNEP, and that it be supported by a secretariat that would draw on the existing substantive capacity of UNEP and the United Nations Centre for Human Settlements (UNCHS) (Habitat), and that the chair should report to the Secretary-General. EMG would include, as core members, the main United Nations entities concerned with environment and human settlements. Particular meetings would involve additional United Nations entities, financial institutions and organizations outside the United Nations that have experience and expertise relevant to the issues on the agenda, as observers where appropriate. EMG would be concerned with environment and human settlements issues in the context of the linkages between environment and development as defined at the 1992 United Nations Conference on Environment and Development and subsequently elaborated.

8. It was proposed that the most important goal of EMG should be to achieve effective coordination and joint action in key areas of the issue of environment and human settlements; assist intergovernmental bodies in that area, in particular the UNEP Governing Council and the Commission on Human Settlements, in the preparation of coordinated inputs to intergovernmental forums, notably the Commission on Sustainable Development. It was recommended that the Group report on an informational basis to ACC, and bring an environmental perspective into the work of the Inter-Agency Committee on Sustainable Development (IACSD). EMG should establish time-bound task forces or working groups covering clusters of issues, in which representatives of the main institutions involved in a particular issue could work together quickly to solve important problems, such as the reconstituted Ecosystem Conservation Group. Furthermore, EMG should include convention secretariats among its participants when needed and should act to ensure that there are appropriate linkages among activities that occur under conventions and relevant activities elsewhere in the international system.

II. SYSTEM-WIDE STRATEGY IN THE FIELD OF THE ENVIRONMENT

9. Pursuant to Governing Council decision 19/9 B, the present report outlines developments relating to the United Nations system-wide strategy in the field of the environment for the period 1998-2002. In that decision, the Governing Council recognized the need for the further development of the strategy in accordance with the decision to be taken by the General Assembly at its 1997 special session for the purpose of an overall review and appraisal of the implementation of Agenda 21, and endorsed the view of the Executive Director that the strategy should have a flexible structure over the medium term and should allow for regular updating in view of the developments taking place in intergovernmental forums in the course of the life of the strategy. The Governing Council further emphasized that the strategy document should provide a clear framework for the discharge of the policy guidance and coordination role of the Governing Council, as well as a framework for future collaboration between UNEP and relevant organizations of the United Nations system. In the decision, the Council requested the Executive Director, in consultation with all relevant organizations of the United Nations system through IAEG, following the conclusion of the special session of the General Assembly, and to provide the finalized document to the Council at its twentieth session.

10. In this context, it may however be recalled that in the mid-term review of the second system-wide medium-term environment programme, it was concluded that, because the structure, centralized planning approaches, and varying programme cycles currently used by the organizations in the United Nations system that participate in system-wide medium-term environment programme are often not compatible with its programming cycle, implementation of the second system-wide medium-term environment programme has required special efforts and frequent adjustments. The United Nations system has implemented the second system-wide medium-term environment programme to the extent that activities have been carried out as envisaged by the participating agencies and organizations at the time the programme was formulated. Consequently, most of the activities of the United Nations system in the second system-wide medium-term environment programme are implemented through the approved programmes of the agencies' respective governing bodies, and not in response

to the system-wide medium-term environment programme. Accordingly, it was recognized that there are practical difficulties and inherent constraints in a medium-term planning document that is expected to include the entire United Nations system.

11. In appreciation of these difficulties and constraints, in its recommendation on inter-agency linkages, which the Secretary-General subsequently put forward in his report to the General Assembly, the Task Force considered the question of whether EMG should produce a single United Nations environmental programme similar to the former system-wide medium-term environment programme. The Task Force concluded that, in view of the fast-moving global trends, a static programme, no matter how frequently it is updated, is bound to lag behind real needs. The experience of the first and second system-wide medium-term environment programmes amply demonstrated that such documents lose their relevance after a short while, if they are not meant as programming tools endorsed by the governing bodies of each partner agency in the United Nations system. On modalities of implementation, the Task Force recommended that EMG should create a dynamic process for the review of planned activities and modification of goals and activities in the light of new knowledge. Subgroups of EMG may agree on sharply focused action plans as a means of coordinating actions at the programme level and allocating resources in the most effective manner.

III. CONCLUSIONS

12. These developments pursuant to the recommendations of the Task Force, with repercussions for both IAEG and the system-wide strategy in the field of environment, where presented orally by the UNEP secretariat to Subcommittee II of the Committee of Permanent Representatives to UNEP at its meeting on 7 July 1998.

13. The establishment of EMG, with the proposed role, inter alia, to create a dynamic process for the review of planned activities and modification of goals and activities in the light of new knowledge, falls within the purview of recommendations for action at the secretariat level. Accordingly, the Secretary-General, in this regard, will undertake consultations with ACC members, so as to ensure the full participation of the entire United Nations system, and to decide on the formal establishment of EMG. Thus, pending the establishment of EMG and consensus on its mandate and terms of reference, it is proposed that EMG would therefore supersede the need for IAEG and the system-wide strategy in the field of the environment. The coordination requirements of UNEP could therefore be effectively carried out through the implementation of the recommendation of the Task Force, as put forward in the report of the Secretary-General on environment and human settlements.